

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants note with appreciation the indication that claims 6-8 are allowed, and that claims 4 and 11 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims (Official Action at pages 8 and 9).

By the above amendments, claims 1 and 3 have been canceled without prejudice or disclaimer. Claims 2, 4 and 11 have been amended to be in independent form. Claim 2 has also been amended for clarification purposes to recite that Ar₂ in Formula (2) represents a divalent triazine ring group, and Ar₃ in Formula (3) represents a divalent heterocyclic group. Claim 5 has been amended for clarification purposes to delete Formula (1). Claim 5 has also been amended for clarification purposes to recite that Ar₂ in formula (2) represents a divalent triazine ring group, and Ar₃ in formula (3) represents a divalent heterocyclic group. Claim 9 has been amended for clarification purposes to recite that Ar₃ in Formula (3) represents a divalent heterocyclic group.

In the Official Action, claims 1-3 and 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,764,599 (*Colberg et al*). This rejection is moot with respect to claims 1 and 3 in light of the cancellation of such claims. Withdrawal of this rejection with respect to claims 2 and 9 is respectfully requested for at least the following reasons.

Claim 2 is directed to an ink comprising at least one dye represented by the formula (2) or (3) recited therein. Claim 9 is directed to a bis-azo compound represented by the formula (3) recited therein.

Colberg et al does not disclose each feature recited in claim 2, and as such fails to constitute an anticipation of such claim. For example, *Colberg et al* does not disclose at least one dye represented by formula (2) or (3), as recited in claim 2. In this regard, it is clear that the general formula I compound disclosed by *Colberg et al* is not the same as the formula (2) compound recited in claim 2. Furthermore, *Colberg et al* fails to disclose the dye represented by formula (3) wherein Ar₃ represents a divalent heterocyclic group as recited in claim 2.

Colberg et al also fails to constitute an anticipation of claim 9. For example, *Colberg et al* does not disclose a bis-azo compound represented by formula (3), wherein Ar₃ represents a divalent heterocyclic group, as recited in claim 9.

For at least the above reasons, it is apparent that *Colberg et al* does not constitute an anticipation of either of claims 2 or 9. Accordingly, withdrawal of the above rejection is respectfully requested.

Claims 9 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,089,851 (*Kramb*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Kramb fails to disclose each feature recited in claim 9, and as such fails to constitute an anticipation of such claim. For example, *Kramb* does not disclose or suggest a bis-azo compound represented by the formula (3) recited in claim 9. As discussed above, claim 9 has been amended to recite that Ar₃ in formula (3) represents a divalent heterocyclic group. By comparison, the formula disclosed at column 1, lines 10-20 of *Kramb*, does not contain a divalent heterocyclic group in the positions corresponding to Ar₃ in formula (3).

As such, it is apparent that *Kramb* does not constitute an anticipation of claim 9.

Accordingly, withdrawal of the above §102(b) rejection is respectfully requested.

Claims 1, 3 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,728,201 (*Saito et al*). This rejection is moot with respect to claims 1 and 3 in light of the cancellation of such claims. Withdrawal of this rejection with respect to claim 5 is respectfully requested for at least the following reasons.

Claim 5 is directed to an ink-jet-recording method, comprising the step of: forming an image with an ink, on an image-receiving material having an ink-receiving layer containing white inorganic pigment particles on a support, wherein the ink comprises at least one dye represented by formula (2) or (3) recited in claim 5.

Saito et al fails to constitute an anticipation of claim 5 because *Saito et al* does not disclose each feature recited in such claim. In this regard, *Saito et al* discloses a formula (1) compound wherein J and J₁ are selected from the groups (2), (3) and (4) set forth at columns 2 and 3. Such formula (1) compound disclosed by *Saito et al* is clearly not the same as a dye represented by formula (2) or (3) recited in claim 5, wherein Ar₂ in formula (2) represents a divalent triazine ring group and Ar₃ in formula (3) represents a divalent heterocyclic group.

It is therefore apparent that *Saito et al* does not constitute an anticipation of claim 5. Accordingly, withdrawal of the above §102(b) rejection is respectfully requested.

Claims 1 and 3 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 4,169,091 (*Kuhne et al*). Without addressing the propriety of this rejection, it is noted that such rejection is moot in light of the cancellation of claims 1 and 3. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-3, 9 and 10 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 4,083,688 (*Ramanathan*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Ramanathan does not disclose or suggest each feature recited in claims 2 and 9, and as such fails to constitute an anticipation of such claims. For example, *Ramanathan* does not disclose or suggest an ink comprising at least one dye represented by formula (2) or (3), wherein Ar₂ in formula (2) represents a divalent triazine ring group, and Ar₃ in formula (3) represents a divalent heterocyclic group. Furthermore, *Ramanathan* does not disclose or suggest a biz-azo compound represented by formula (3), wherein Ar₃ represents a divalent heterocyclic group, as recited in claim 9.

For at least the above reasons, it is apparent that no *prima facie* case of obviousness exists. Accordingly, withdrawal of the above §103(a) rejection is respectfully requested.

It is noted that Applicants are currently in the process of obtaining a certified copy of the priority application, and such document will be filed in the Patent Office in due course.

It is also noted that the Examiner-initialed form PTO-1449 in connection with the Second Information Disclosure Statement filed January 14, 2004, does not contain the Examiner's initials with respect to the Partial European Search Report cited therein. Issuance of a supplemental Examiner-initialed form PTO-1449 containing the Examiner's initials with respect to the Partial European Search Report is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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